

THOMAS E. FRANKOVICH (State Bar #074414)
 THOMAS E. FRANKOVICH
 A PROFESSIONAL LAW CORPORATION
 4328 Redwood Hwy, Suite 300
 San Rafael, CA 94903
 Telephone: 415/674-8600
 Facsimile: 415/674-9900

Attorneys for Plaintiff
 CRAIG YATES, an individual;

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA

CRAIG YATES, an individual;

Plaintiff,

v.

IRMA'S PAMPANGA RESTAURANT,
 a.k.a. ROBERT A. IMHOFF,

Defendant.

CASE NO. CV-10-3587-JCS

**STIPULATION OF DISMISSAL AND
 [PROPOSED] ORDER THEREON**

The parties, by and through their respective counsel, stipulate to dismissal of this action in its entirety with prejudice pursuant to Fed.R.Civ.P.41(a)(1). Outside of the terms of the Settlement Agreement and General Release ("Agreement") herein, each party is to bear its own costs and attorneys' fees. The parties further consent to and request that the Court retain jurisdiction over enforcement of the Agreement. *See Kokonen v. Guardian Life Ins. Co.*, 511 U.S. 375 (1994) (empowering the district courts to retain jurisdiction over enforcement of settlement agreements).

Therefore, IT IS HEREBY STIPULATED by and between parties to this action through their designated counsel that the above-captioned action be and hereby is dismissed with prejudice pursuant to Federal Rules of Civil Procedure section 41(a)(1).

1 This stipulation may be executed in counterparts, all of which together shall constitute one
2 original document.

3
4 Dated: May 16, 2011

THOMAS E. FRANKOVICH
A PROFESSIONAL LAW CORPORATION

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6
7 By: /S/ Thomas E. Frankovich
8 Thomas E. Frankovich
9 Attorney for CRAIG YATES, an individual

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11 Dated: , 2011

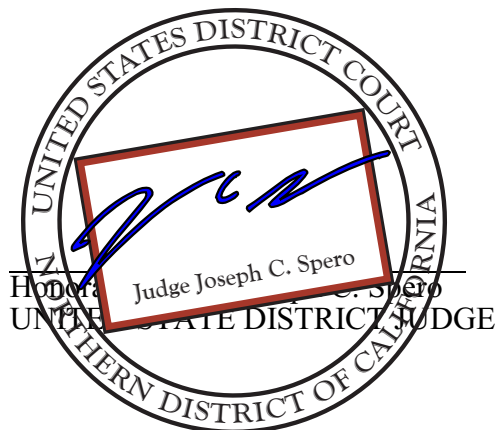
Law Offices of Cindy Lee

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14 By _____
15 Cindy Lee
16 Attorney for IRMA'S PAMPANGA
17 RESTAURANT, a.k.a. ROBERT A. IMHOFF

18 **ORDER**

19 IT IS HEREBY ORDERED that this matter is dismissed with prejudice pursuant to
20 Fed.R.Civ.P.41(a)(1). IT IS FURTHER ORDERED that the Court shall retain jurisdiction for the
21 purpose of enforcing the parties' Settlement Agreement and General Release should such
22 enforcement be necessary.

23
24 Dated: May 20, 2011



1 This stipulation may be executed in counterparts, all of which together shall constitute one
2 original document.

3
4 Dated: , 2011

THOMAS E. FRANKOVICH
A PROFESSIONAL LAW CORPORATION

5
6
7 By: _____
8 Thomas E. Frankovich
9 Attorney for CRAIG YATES, an individual

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11 Dated: , 2011

Law Offices of Cindy Lee

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16 Attorney for IRMA'S PAMPANGA
17 RESTAURANT, a.k.a. ROBERT A. IMHOFF

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21 purpose of enforcing the parties' Settlement Agreement and General Release should such
22 enforcement be necessary.

23
24 Dated: _____, 2011

25
26 Honorable Judge Joseph C. Spero
27 UNITED STATE DISTRICT JUDGE
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